



The Moray Council Council Office High Street Elgin IV30 1BX Tel: 0300 1234561 Email: development.control@moray.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100287961-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Type of Application

What is this application for? Please select one of the following: *

- Application for planning permission (including changes of use and surface mineral working).
- Application for planning permission in principle.
- Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- Application for Approval of Matters specified in conditions.

Description of Proposal

Please describe the proposal including any change of use: * (Max 500 characters)

Erect dwelling house on small holding

Is this a temporary permission? * Yes No

If a change of use is to be included in the proposal has it already taken place?
(Answer 'No' if there is no change of use.) * Yes No

Has the work already been started and/or completed? *

No Yes – Started Yes - Completed

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant Agent

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mrs"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text" value="Gorse Bank"/>
First Name: *	<input type="text" value="Susan"/>	Building Number:	<input type="text"/>
Last Name: *	<input type="text" value="Kemp"/>	Address 1 (Street): *	<input type="text" value="Damhead"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text" value="Rafford"/>
Telephone Number: *	<input type="text" value="██████████"/>	Town/City: *	<input type="text" value="Forres"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Moray"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="Iv36 2SJ"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="██"/>		

Site Address Details

Planning Authority:	<input type="text" value="Moray Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="HEATHERYFOLD CARAVAN"/>
Address 2:	<input type="text" value="DAMHEAD"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="FORRES"/>
Post Code:	<input type="text" value="IV36 2SJ"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="854309"/>	Easting	<input type="text" value="306785"/>
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Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

Yes No

Site Area

Please state the site area:

8094.00

Please state the measurement type used:

Hectares (ha) Square Metres (sq.m)

Existing Use

Please describe the current or most recent use: * (Max 500 characters)

Empty, last used as agricultural field.

Access and Parking

Are you proposing a new altered vehicle access to or from a public road? *

Yes No

If Yes please describe and show on your drawings the position of any existing. Altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any change to public paths, public rights of way or affecting any public right of access? *

Yes No

If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.

Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? *

Yes No

Are you proposing to connect to the public drainage network (eg. to an existing sewer)? *

- Yes – connecting to public drainage network
 No – proposing to make private drainage arrangements
 Not Applicable – only arrangements for water supply required

As you have indicated that you are proposing to make private drainage arrangements, please provide further details.

What private arrangements are you proposing? *

- New/Altered septic tank.
 Treatment/Additional treatment (relates to package sewage treatment plants, or passive sewage treatment such as a reed bed).
 Other private drainage arrangement (such as chemical toilets or composting toilets).

What private arrangements are you proposing for the New/Altered septic tank? *

- Discharge to land via soakaway.
 Discharge to watercourse(s) (including partial soakaway).
 Discharge to coastal waters.

Please explain your private drainage arrangements briefly here and show more details on your plans and supporting information: *

Drainage will be to septic tank and soak away.

Do your proposals make provision for sustainable drainage of surface water?? *
(e.g. SUDS arrangements) *

Yes No

Note:-

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.

Are you proposing to connect to the public water supply network? *

Yes

No, using a private water supply

No connection required

If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).

Assessment of Flood Risk

Is the site within an area of known risk of flooding? *

Yes No Don't Know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? *

Yes No Don't Know

Trees

Are there any trees on or adjacent to the application site? *

Yes No

If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? *

Yes No

Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013) *

Yes No Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? * Yes No

Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? * Yes No

Is any of the land part of an agricultural holding? * Yes No

Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

Signed: Mrs Susan Kemp

On behalf of:

Date: 27/07/2020

Please tick here to certify this Certificate. *

Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? *

Yes No Not applicable to this application

b) If this is an application for planning permission or planning permission in principle where there is a crown interest in the land, have you provided a statement to that effect? *

Yes No Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? *

Yes No Not applicable to this application

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? *

Yes No Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? *

Yes No Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? *

Yes No Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

- Site Layout Plan or Block plan.
- Elevations.
- Floor plans.
- Cross sections.
- Roof plan.
- Master Plan/Framework Plan.
- Landscape plan.
- Photographs and/or photomontages.
- Other.

If Other, please specify: * (Max 500 characters)

Provide copies of the following documents if applicable:

- | | | |
|--|------------------------------|---|
| A copy of an Environmental Statement. * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| A Design Statement or Design and Access Statement. * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| A Flood Risk Assessment. * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| Drainage/SUDS layout. * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| A Transport Assessment or Travel Plan | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| Contaminated Land Assessment. * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| Habitat Survey. * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| A Processing Agreement. * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |

Other Statements (please specify). (Max 500 characters)

Declare – For Application to Planning Authority

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

Declaration Name: Mrs Susan Kemp

Declaration Date: 29/07/2020

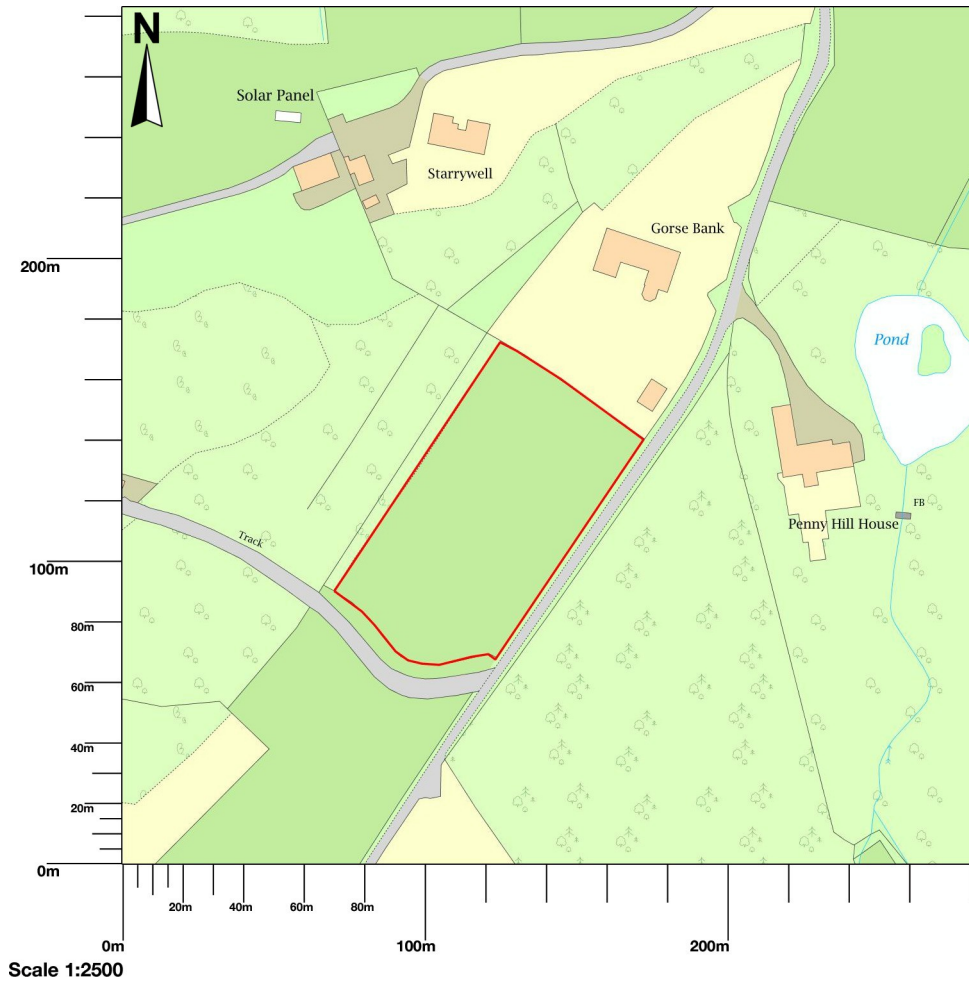
Payment Details

Online payment: 160576

Payment date: 29/07/2020 14:53:05

Created: 29/07/2020 14:53

Heatheryfold Caravan Damhead Forres



Map area bounded by: 306694,854208 306976,854490. Produced on 31 July 2020 from the OS National Geographic Database. Reproduction in whole or part is prohibited without the prior permission of Ordnance Survey. © Crown copyright 2020. Supplied by UKPlanningMaps.com a licensed OS partner (100054135). Unique plan reference: p8buk/487809/661635

From: DeveloperObligations
Sent: 7 Aug 2020 13:53:31 +0100
To: Andrew Miller
Cc: DC-General Enquiries
Subject: 20/00947/PPP Erect dwelling house on small holding Heatheryfold Caravan, Damhead, Forres, IV36 2SJ
Attachments: 20-00947-PPP Erect dwelling house on small holding Heatheryfold Caravan, Damhead, Forres, IV36 2SJ.pdf

Hi

Please find attached the developer obligations assessment that has been undertaken for the above planning application. A copy of the report has been sent to the applicant.

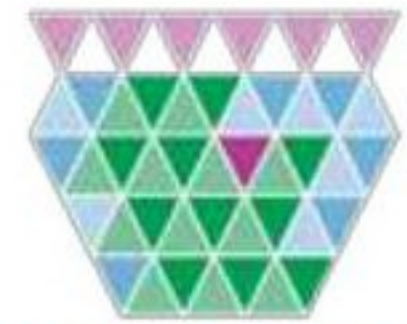
Thanks,
Rebecca

Rebecca Morrison | Infrastructure Growth/Obligations Officer (Strategic Planning and Development) | Economic Growth and Development
rebecca.morrison@moray.gov.uk | [website](#) | [facebook](#) | [moray council planning facebook](#) | [twitter](#) | [newsdesk](#)

MORAY
council



Developer Obligations & Affordable Housing: ASSESSMENT REPORT



moray
council

Date: 07/08/2020

Reference: 20/00947/PPP

Description: Erect dwelling house on small holding Heatherfold Caravan, Damhead, Forres, IV36 2SJ

Applicant: Mrs Susan Kemp

This assessment has been carried out by Moray Council. For developer obligations, the assessment is carried out in relation to policy PP3 Infrastructure and Services of the adopted Moray Local Development Plan 2020 (MLDP2020) and Supplementary Guidance (SG) on Developer Obligations which was adopted on 1 March 2018. And, for affordable housing, the assessment is carried out in relation to policy DP2 Housing of the MLDP2020. Affordable housing is a policy requirement not a developer obligation however for ease of reference the Affordable Housing contribution is included within this assessment.

The MLDP2020 can be found at www.moray.gov.uk/MLDP2020 and the Developer Obligations SG can be found at <http://www.moray.gov.uk/downloads/file118481.pdf>.

Summary of Obligations

Primary Education	Nil
Secondary Education	Nil
Transport	Nil
Healthcare (<i>Contribution towards extension at Forres Health Centre, 2 Additional Dental Chairs and reconfiguration to existing Pharmacy outlets</i>)	██████████
Sports and Recreation (<i>Contribution towards 3G pitch in Forres</i>)	██████████
Total Developer Obligations	██████████
Affordable Housing	██████████
TOTAL	██████████

Breakdown of Calculation

Proposals for developer obligations are assessed on the basis of Standard Residential Unit Equivalents (SRUE) which is a 3-bedroomed residential unit. This application is considered to comprise of the following:

3 bed = 1 SRUE

The assessment for developer obligations is therefore based on 1 SRUE.



Moray Council **DEVELOPER OBLIGATIONS**



Contributions towards Transport = Nil

Developer Obligations Discount for Small Scale Development

A discount of 80% will be applied to the developer obligation for single unit developments to reflect their small scale nature.

INFRASTRUCTURE

Education

Primary Education

Pupils generated by this development are zoned to Anderson`s Primary School. The school is currently operating at 69% functional capacity and the additional pupil as a result of this development can be accommodated. As a result, no mitigation is necessary.

Contribution towards Primary Education = Nil

Secondary Education

Pupils generated by this development are zoned to Forres Academy. The school is currently operating at 75% capacity and the additional pupil as a result of this development can be accommodated. As a result, no mitigation is necessary.

Contribution towards Secondary Education = Nil

Transport

The Moray Council Transportation Services has confirmed that no developer obligations will be sought for this proposal.

Healthcare

Healthcare Facilities include General Medical Services (GMS), community pharmacies and dental practices. Scottish Health Planning Notes provide national guidance on standards and specification for healthcare facilities. The recommended number of patients is 1500 per General Practitioner (GP) and floorspace requirement per GP is 271m².

Healthcare infrastructure requirements have been calculated with NHS Grampian on the basis of national standards and specifications for healthcare facilities and estimating the likely number of new patients generated by the development (based on the average household size of 2.17 persons -Census 2011).

Forres Health Centre is the nearest GP Practice within which healthcare facilities can be accessed by the proposed development. NHS Grampian has confirmed that Forres Health Centre is working at design capacity and the existing space will be required to be extended and that 2 Additional Dental Chairs and a reconfiguration to existing Pharmacy outlets will be required.

Contributions are calculated based on a proportional contribution of [REDACTED] per SRUE for the health centre and additional dental chairs each and £759 per SRUE for the pharmacy.

[REDACTED]

[REDACTED]



[REDACTED]

[REDACTED]

Contribution towards Healthcare= [REDACTED]

Sports and Recreational Facilities

Sports and Recreation Facilities

The nearest sports and recreational facilities that serve this development are located in Forres. The Moray Local Development Plan 2020 identifies a requirement for new development to contribute towards additional capacity of sports and recreational facilities. As set out in the Review of Sport, Leisure and Recreational Provision in Moray (April 2014), current pitch provision in Forres falls below national standards in terms of both quantity and quality. The Review set out the preference is to provide synthetic grass pitches given the ever improving developments of synthetic turf technology, flexibility offered by the surface in terms of game size and capacity for repeated play without detrimental effect.

Moray’s provision of synthetic grass pitches is 0.55 (5 x 3G pitches/90,000 population), which is significantly lower than the national average of 0.7 pitches per 10,000 population. Moray Council has agreed that the Council aim is to provide every secondary school with convenient/adjacent access to a 3G pitch given that sportscotland stipulates that pitches should be adjacent to schools. Therefore, contributions will be sought towards a 3G pitch in Forres on the following basis:

[REDACTED]

[REDACTED]

Contribution for Sports and Recreation Facilities = [REDACTED]

AFFORDABLE HOUSING

The average market value of a serviced plot for 1 Affordable Unit is [REDACTED] Contributions are based on 25% of the total number of units proposed in the application:

[REDACTED]

Therefore, the total contribution towards affordable housing is:

[REDACTED]

Affordable housing is a policy requirement not a developer obligation and will not be subject to negotiation.



TERMS OF ASSESSMENT

This assessment report is valid for a period of 6 months from the date of issue.

Please note that any subsequent planning applications for this site may require a re-assessment to be undertaken on the basis of the policies and rates pertaining at that time.

PAYMENT OF CONTRIBUTIONS

Remittance of financial obligations can be undertaken either through the provision of an upfront payment or by entering into a Section 75 agreement. The provision of an upfront payment will allow a planning consent to be issued promptly. However, where the amount of developer contributions are such that an upfront payment may be considered prohibitive a Section 75 will likely be required. The payment of contributions may be tied into the completion of houses through a Section 75 Agreement or equivalent, to facilitate the delivery of development. Please note that Applicants are liable for both the legal costs of their own Legal Agent fees and Council's legal fees and outlays in the preparation of the document. These costs should be taken into account when considering the options.

INDEXATION

Developer obligations towards Moray Council infrastructure are index linked to the General Building Cost Price Index (BCPI) as published by the Building Cost Information Service (BCIS) of the Royal Institute of Chartered Surveyors (RICS) from Q3, 2017 and obligations towards NHS Grampian infrastructure are index linked to All in Tender

Price Index (TPI) as published by the Royal Institute of Chartered Surveyors (RICS) from Q2, 2017.



Consultee Comments for Planning Application 20/00947/PPP

Application Summary

Application Number: 20/00947/PPP

Address: Heatheryfold Caravan Damhead Forres Moray IV36 2SJ

Proposal: Erect dwelling house on small holding

Case Officer: Andrew Miller

Consultee Details

Name: Mr EH Consultations

Address: Environmental Health, Council Offices, High Street Elgin, Moray IV30 1BX

Email: ehplanning.consultations@moray.gov.uk

On Behalf Of: Environmental Health C12

Comments

Approved unconditionally

Thursday, 13 August 2020



Local Planner
Development Services
Moray Council
Elgin
IV30 1BX

Development Operations
The Bridge
Buchanan Gate Business Park
Cumbernauld Road
Steps
Glasgow
G33 6FB

Development Operations
Freephone Number - 0800 3890379
E-Mail - DevelopmentOperations@scottishwater.co.uk
www.scottishwater.co.uk

Dear Sir/Madam

SITE: Heatheryfold Caravan, Damhead, Forres, IV36 2SJ
PLANNING REF: 20/00947/PPP
OUR REF: DSCAS-0019535-BKK
PROPOSAL: Erect dwelling house on small holding

Please quote our reference in all future correspondence

Audit of Proposal

Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced and would advise the following:

Water Capacity Assessment

Scottish Water has carried out a Capacity review and we can confirm the following:

- ▶ There is currently sufficient capacity in the Glenlatterach Water Treatment Works to service your development. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.

Waste Water Capacity Assessment

- ▶ Unfortunately, according to our records there is no public Scottish Water, Waste Water infrastructure within the vicinity of this proposed development therefore we would advise applicant to investigate private treatment options.



To find out more about connecting your
Published the water and waste water supply visit:



So, how are we doing?

We'd love to know what we're doing well or could do better. We promise we're listening, [click here](#) to tell us...



Please Note

- ▶ The applicant should be aware that we are unable to reserve capacity at our water and/or waste water treatment works for their proposed development. Once a formal connection application is submitted to Scottish Water after full planning permission has been granted, we will review the availability of capacity at that time and advise the applicant accordingly.

Asset Impact Assessment

According to our records, the development proposals impact on existing Scottish Water assets.

The applicant must identify any potential conflicts with Scottish Water assets and contact our Asset Impact Team via [our Customer Portal](#) to apply for a diversion.

The applicant should be aware that any conflict with assets identified may be subject to restrictions on proximity of construction. Please note the disclaimer at the end of this response.

Surface Water

For reasons of sustainability and to protect our customers from potential future sewer flooding, Scottish Water will not accept any surface water connections into our combined sewer system.

There may be limited exceptional circumstances where we would allow such a connection for brownfield sites only, however this will require significant justification from the customer taking account of various factors including legal, physical, and technical challenges.

In order to avoid costs and delays where a surface water discharge to our combined sewer system is anticipated, the developer should contact Scottish Water at the earliest opportunity with strong evidence to support the intended drainage plan prior to making a connection request. We will assess this evidence in a robust manner and provide a decision that reflects the best option from environmental and customer perspectives.

General notes:

- ▶ Scottish Water asset plans can be obtained from our appointed asset plan providers:
 - ▶ Site Investigation Services (UK) Ltd
 - ▶ Tel: 0333 123 1223
 - ▶ Email: sw@sisplan.co.uk
 - ▶ www.sisplan.co.uk



- ▶ Scottish Water’s current minimum level of service for water pressure is 1.0 bar or 10m head at the customer’s boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private pumping arrangements to be installed, subject to compliance with Water Byelaws. If the developer wishes to enquire about Scottish Water’s procedure for checking the water pressure in the area, then they should write to the Customer Connections department at the above address.
- ▶ If the connection to the public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude.
- ▶ Scottish Water may only vest new water or waste water infrastructure which is to be laid through land out with public ownership where a Deed of Servitude has been obtained in our favour by the developer.
- ▶ The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or SUDS proposed to vest in Scottish Water is constructed.
- ▶ Please find information on how to submit application to Scottish Water at [our Customer Portal](#).

Next Steps:

▶ **All Proposed Developments**

All proposed developments require to submit a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water via [our Customer Portal](#) prior to any formal Technical Application being submitted. This will allow us to fully appraise the proposals.

Where it is confirmed through the PDE process that mitigation works are necessary to support a development, the cost of these works is to be met by the developer, which Scottish Water can contribute towards through Reasonable Cost Contribution regulations.

▶ **Non Domestic/Commercial Property:**

Since the introduction of the Water Services (Scotland) Act 2005 in April 2008 the water industry in Scotland has opened to market competition for non-domestic customers. All Non-domestic Household customers now require a Licensed Provider to act on their behalf for new water and waste water connections. Further details can be obtained at www.scotlandontap.gov.uk

▶ **Trade Effluent Discharge from Non Dom Property:**

- ▶ Certain discharges from non-domestic premises may constitute a trade effluent in terms of the Sewerage (Scotland) Act 1968. Trade effluent arises from activities including; manufacturing, production and engineering; vehicle,



plant and equipment washing, waste and leachate management. It covers both large and small premises, including activities such as car washing and laundrettes. Activities not covered include hotels, caravan sites or restaurants.

- ▶ If you are in any doubt as to whether the discharge from your premises is likely to be trade effluent, please contact us on 0800 778 0778 or email TEQ@scottishwater.co.uk using the subject "Is this Trade Effluent?". Discharges that are deemed to be trade effluent need to apply separately for permission to discharge to the sewerage system. The forms and application guidance notes can be found [here](#).
- ▶ Trade effluent must never be discharged into surface water drainage systems as these are solely for draining rainfall run off.
- ▶ For food services establishments, Scottish Water recommends a suitably sized grease trap is fitted within the food preparation areas, so the development complies with Standard 3.7 a) of the Building Standards Technical Handbook and for best management and housekeeping practices to be followed which prevent food waste, fat oil and grease from being disposed into sinks and drains.
- ▶ The Waste (Scotland) Regulations which require all non-rural food businesses, producing more than 50kg of food waste per week, to segregate that waste for separate collection. The regulations also ban the use of food waste disposal units that dispose of food waste to the public sewer. Further information can be found at www.resourceefficientscotland.com

I trust the above is acceptable however if you require any further information regarding this matter please contact me on **0800 389 0379** or via the e-mail address below or at planningconsultations@scottishwater.co.uk.

Yours sincerely,

Planning Application Team

Development Operations Analyst

developmentoperations@scottishwater.co.uk

Scottish Water Disclaimer:

"It is important to note that the information on any such plan provided on Scottish Water's infrastructure, is for indicative purposes only and its accuracy cannot be relied upon. When the exact location and the nature of the infrastructure on the plan is a material requirement then you should undertake an appropriate site investigation to confirm its actual position in the ground and to determine if it is suitable for its intended purpose. By using the plan you agree that Scottish Water will not be liable for any loss, damage or costs caused by relying upon it or from carrying out any such site investigation."



SW Public
Published

To find out more about connecting your
the water and waste water supply visit:



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We'd love to know what we're doing well or could do better. We promise we're listening, [click here](#) to tell us...



Consultation Request Notification

Planning Authority Name	Moray Council
Response Date	18th August 2020
Planning Authority Reference	20/00947/PPP
Nature of Proposal (Description)	Erect dwelling house on small holding
Site	Heatheryfold Caravan Damhead Forres Moray IV36 2SJ
Site Postcode	N/A
Site Gazetteer UPRN	000133066524
Proposal Location Easting	306785
Proposal Location Northing	854309
Area of application site (M²)	8094
Additional Comment	
Development Hierarchy Level	LOCAL
Supporting Documentation URL	https://publicaccess.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&keyVal=QE9Q1JBGFVO00
Previous Application	
Date of Consultation	4th August 2020
Is this a re-consultation of an existing application?	No
Applicant Name	Mrs Susan Kemp
Applicant Organisation Name	
Applicant Address	Gorse Bank Damhead Rafford Forres Moray IV36 2SJ
Agent Name	
Agent Organisation Name	
Agent Address	
Agent Phone Number	
Agent Email Address	N/A
Case Officer	Andrew Miller
Case Officer Phone number	01343 563274
Case Officer email address	andrew.miller@moray.gov.uk
PA Response To	consultation.planning@moray.gov.uk

NOTE:

If you do not respond by the response date, it will be assumed that you have no comment to make.

The statutory period allowed for a consultation response is 14 days. Due to scheduling pressures if a definitive response is not received within 21 days this may well cause the

two month determination period to be exceeded.

Data Protection - Moray Council is the data controller for this process. Information collected about you on this form will be used to process your Planning Application, and the Council has a duty to process your information fairly. Information we hold must be accurate, up to date, is kept only for as long as is necessary and is otherwise shared only where we are legally obliged to do so. You have a legal right to obtain details of the information that we hold about you.

For full terms please visit http://www.moray.gov.uk/moray_standard/page_121513.html

For full Data Protection policy, information and rights please see http://www.moray.gov.uk/moray_standard/page_119859.html

You can contact our Data Protection Officer at info@moray.gov.uk or 01343 562633 for more information.

Please respond using the attached form:-

MORAY COUNCIL

PLANNING CONSULTATION RESPONSE

From: Transportation Manager

Planning Application Ref. No: 20/00947/PPP

Erect dwelling house on small holding Heatherfold Caravan Damhead Forres Moray for Mrs Susan Kemp

I have the following comments to make on the application:-

- | | Please |
|---|-------------------------------------|
| (a) I OBJECT to the application for the reason(s) as stated below | <input checked="" type="checkbox"/> |
| (b) I have NO OBJECTIONS to the application and have no condition(s) and/or comment(s) to make on the proposal | <input type="checkbox"/> |
| (c) I have NO OBJECTIONS to the application subject to condition(s) and/or comment(s) about the proposal as set out below | <input type="checkbox"/> |
| (d) Further information is required in order to consider the application as set out below | <input type="checkbox"/> |

This proposal is for the erection of a new dwelling swerved via the U107E Fernielea Road.

The U107E Fernielea Road is a narrow no through road with limited passing places, which gains access to the wider road network via a junction onto the B9010 Main Road, Rafford. This junction is the sole point of access from the site onto the wider road network.

The visibility splay to the north west at the U107E/B9011 Junction is severely obstructed by a high hedge (and recently erected high timber boundary fence) along the site boundary of 'Kantara'. Additionally the narrow width of the U107E at the junction makes it difficult for two vehicles to pass each other.

The junction has been identified as requiring improvements to the visibility splays for the minor road and widening works. Further development via this junction would not be acceptable unless the improvements had been implemented. The improvements require land located outwith the extents of the public verge (third party).

Reason for objection

The existing U107E/B9011 junction serving the site is considered to be inadequate to serve the proposed development, by reason of its restricted visibility and width. Transportation therefore considers that the proposal, if permitted, would result in an intensification of use of the constrained junction and be likely to give rise to conditions detrimental to the road safety of road users contrary to Moray Local Development Plan policy DP1 'Development Principles' section (ii)- 'Transportation', part 'c)' (safe access to and from the road network).

Contact: AG

Date 25 August 2020

email address: transport.develop@moray.gov.uk

Consultee: TRANSPORTATION

Return response to

consultation.planning@moray.gov.uk

Consultee Comments for Planning Application 20/00947/PPP

Application Summary

Application Number: 20/00947/PPP

Address: Heatheryfold Caravan Damhead Forres Moray IV36 2SJ

Proposal: Erect dwelling house on small holding

Case Officer: Andrew Miller

Consultee Details

Name: Mr CL Consultations

Address: Environmental Health, Council Offices, High Street Elgin, Moray IV30 1BX

Email: clconsultations@moray.gov.uk

On Behalf Of: Contaminated Land

Comments

Approved unconditionally

MORAY COUNCIL

PLANNING CONSULTATION RESPONSE

From: Moray Flood Risk Management

Planning Application Ref. No: 20/00947/PPP

Erect dwelling house on small holding Heatherfold Caravan Damhead Forres Moray for Mrs Susan Kemp

I have the following comments to make on the application:-

- | | Please |
|---|--------------------------------------|
| (a) I OBJECT to the application for the reason(s) as stated below | x
<input type="checkbox"/> |
| (b) I have NO OBJECTIONS to the application and have no condition(s) and/or comment(s) to make on the proposal | <input checked="" type="checkbox"/> |
| (c) I have NO OBJECTIONS to the application subject to condition(s) and/or comment(s) about the proposal as set out below | <input type="checkbox"/> |
| (d) Further information is required in order to consider the application as set out below | <input type="checkbox"/> |

Contact:	Javier Cruz	Date05/10/2020
email address:	Javier.Cruz@Moray.gov.uk	Phone No
Consultee:	The Moray Council, Flood Risk Management	

With reference to the Planning Application for: Heatheryfold Caravan, Damhead, Forres, Moray, IV36 2SJ.

I wish to raise a concern re. the above application regarding the supply of an additional Water Connection off the existing water main.

My concern is that supplying a new household (size unknown), may have a detrimental effect on the water pressure being received at my property, which is the last home supplied in the road.

If Scottish Water/Moray Council can guarantee there will be no loss/reduction in my water pressure from supplying the above new development, then I shall withdraw my concern.

Thank you

REPORT OF HANDLING

Ref No:	20/00947/PPP	Officer:	Andrew Miller
Proposal Description/ Address	Erect dwelling house on small holding Heatheryfold Caravan Damhead Forres Moray		
Date:	16/10/20	Typist Initials:	FJA

RECOMMENDATION

Approve, without or with condition(s) listed below	N	
Refuse, subject to reason(s) listed below	Y	
Legal Agreement required e.g. S,75	N	
Notification to Scottish Ministers/Historic Scotland	N	
Hearing requirements	Departure	N
	Pre-determination	N

CONSULTATIONS

Consultee	Date Returned	Summary of Response
Environmental Health Manager	10/08/20	No objections.
Contaminated Land	06/08/20	No objections.
Transportation Manager	25/08/20	<p>Object on basis the proposal results in an intensification of the use of the substandard junction where the U107E Fernielea Road meets the B9010 Main Road, Rafford.</p> <p>The U107E is a narrow, no through road with limited passing places, which gain access to the wider road network via a junction onto the B9010. This junction is substandard because it has restricted visibility from a hedge and timber fence, as well as being narrow to the point two vehicles cannot pass.</p>
Scottish Water	13/08/20	No objection – sufficient capacity at Glenlatterach to provide water supply.
Planning And Development Obligations	07/08/20	Obligations sought towards healthcare (extension to Forres Health Centre), sports and recreation (3G pitch in Forres) and affordable housing.
Moray Flood Risk Management	05/10/20	Following provision of Drainage Statement, no objections.

DEVELOPMENT PLAN POLICY		
Policies	Dep	Any Comments (or refer to Observations below)
PP3 Infrastructure and Services	Y	
DP1 Development Principles	Y	
DP2 Housing	N	
DP4 Rural Housing	N	
EP2 Biodiversity	N	
EP12 Management and Enhancement Water	N	
EP13 Foul Drainage	N	
EP14 Pollution Contamination Hazards	N	

REPRESENTATIONS		
Representations Received	YES	
Total number of representations received ONE		
Names/Addresses of parties submitting representations		
Name and address details of parties submitting representations withheld in accordance with the General Data Protection Regulations.		
Summary and Assessment of main issues raised by representations		
<p>Issue: Assurances sought that water pressure further along water main will not be adversely affected.</p> <p>Comments (PO): Scottish Water have not objected to the principle of another house being served by the public water supply, stating sufficient capacity is available to serve the proposed house.</p>		

OBSERVATIONS – ASSESSMENT OF PROPOSAL

Section 25 of the 1997 Act as amended requires applications to be determined in accordance with the development plan i.e. the adopted Moray Local Development Plan 2020 (MLDP) unless material considerations indicate otherwise. The main planning issues are considered below:

Site
An area of agricultural ground to the south of Rafford, to the west of the Fernielea Road. The surrounding area has dispersed housing amongst agricultural land.

Proposal
Planning permission in principle is sought for the erection of a house. It would be served by a public water supply, foul drainage to a septic tank and surface water drainage to a soakaway.

Rural Housing
As it is located outwith a defined settlement in the MLDP, the proposal is subject to the requirements of policy DP4 - Rural Housing of the MLDP. Initially, the application was advertised as a departure from the development plan on the basis it was contrary to policy DP4, however following site inspection the proposal is no longer considered to be a departure from the plan.

Evaluation is limited to the suitability of the site given the in principle application. In this case, it is noted there are a number of houses in close proximity to the site, with three houses to the north and

three to the south of the site. There is also a consented house to the west (14/02088/APP - allowed by Local Review Body). Whilst rural housing policy seeks to ensure housing does not have a detrimental impact on the character of rural areas, in this instance it is not considered the siting of a house on this site would result in a cumulative build-up of housing that would be detrimental to the character of the wider area. The site itself is relatively screened from surrounding housing, with mature trees along the western and northern boundaries offering enclosure to the site, as well as a backdrop to mitigate the visual impact of a house. Coupled with tree planting elsewhere, the siting of a house on this site will be well contained without detriment to the rural character of the wider area.

The design criteria under policy DP4 will also ensure any house would be appropriately designed. In light of these considerations, the proposal is considered to comply with the requirements of policy DP4.

Access

Policies PP3 and DP1 require all development to be served by a safe access to and from the road network. The site would be accessed via the Fernielea Road, an adopted unclassified public road. It is a no-through road, leading from the B9010 Main Road, Rafford. The Transportation Manager has objected to the application on the basis the junction of Fernielea Road with the B9010 is inadequate to serve the proposed house and intensification of its use would not be acceptable. The junction is substandard due to restricted visibility to the north west as a result of a timber fence (previously hedging) at the dwelling of Kantara, on the north western (Rafford) side of the junction. In addition, the width of the junction is insufficient to enable two vehicles to pass. In order to enable further development, the junction would need to be upgraded to overcome these issues, however the land necessary is third party land to which the applicant has no control over.

In response to the objection, the applicant has provided information which refers to consented agricultural uses on the site which in their opinion justifies the siting of a house on the basis of no intensification. The applicant has also provided information which they state shows the junction is wide enough to allow two vehicles to pass, as well as showing visibility to the north west is not restricted.

With regard to the previously consented agricultural buildings, these were never implemented, however they were notifications for buildings which are "permitted development" under planning legislation, and notifications only consider siting and design of such structures. Nonetheless, these were not implemented, have lapsed, and thus cannot be considered to justify development on the basis of no intensification.

In relation to the photographs provided, whilst it does show two cars passing, the access is too narrow to facilitate this under normal circumstances (as the vehicle exiting onto the B9010 would have to be already positioned as far over to the left as possible beforehand) and this would only really be feasible if both vehicles see each other before reaching the junction which would be difficult given the restricted sightlines. Additionally it may not simply be two cars meeting each other. A carriageway width of 5.5m over a minimum distance of 10m is generally what would be considered as required to enable two vehicles to pass each other. The visibility to the north west does not meet standards, and the photograph provided by the applicant shows that the driver of a vehicle will be set back from the junction, rather than in the position of the photograph taken from the junction line. A vehicle will still have to pull out beyond the extent of the junction in order to gain visibility.

Accordingly, the proposal fails to comply with the requirements of policies PP3 and DP1.

Landscaping/Biodiversity

Policy EP2 requires all development to enhance biodiversity, whilst DP4 requires at least 15% of a rural housing site to be landscaped with native tree species. As this application is in principle, no detail has been provided but if approved, this could be required by condition.

Drainage

Moray Flood Risk Management initially objected to the application due to a lack of drainage information, though this was subsequently provided. It demonstrates the site can be served by suitable foul and surface water drainage, and as such complies with the requirements of policies EP12 and EP13.

Developer Obligations

Developer Obligations have been identified towards healthcare (extension to Forres Health Centre, 2 additional dental chairs and pharmacy reconfiguration) and sports and recreation (3G pitch in Forres), per the requirement of policy PP3 and the Developer Obligations Supplementary Guidance. Obligations are also sought towards affordable housing in line with policy DP2. As this application is being recommended for refusal obligations have not been sought, however the applicant has confirmed a willingness to pay these. On this basis the proposal does not conflict with the aforementioned policies.

Recommendation: Refuse

OTHER MATERIAL CONSIDERATIONS TAKEN INTO ACCOUNT

None

HISTORY

Reference No.	Description		
	Decision		Date Of Decision

ADVERT

Advert Fee paid?	Yes		
Local Newspaper	Reason for Advert	Date of expiry	
Forres Gazette	Departure from development plan No Premises	01/09/20	
PINS	Departure from development plan No Premises	01/09/20	

DEVELOPER CONTRIBUTIONS (PGU)

Status	CONT SOUGHT
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DOCUMENTS, ASSESSMENTS etc. *

* Includes Environmental Statement, Appropriate Assessment, Design Statement, Design and Access Statement, RIA, TA, NIA, FRA etc

Supporting information submitted with application?	YES	
Summary of main issues raised in each statement/assessment/report		
Document Name:	Drainage Statement	
Main Issues:	Details the ground conditions on the site, and indicates the drainage solution necessary to serve a house on the site.	
Document Name:	Access Information	
Main Issues:	Photographs and other information from applicant responding to points in transportation objection.	

S.75 AGREEMENT		
Application subject to S.75 Agreement		NO
Summary of terms of agreement:		
Location where terms or summary of terms can be inspected:		

DIRECTION(S) MADE BY SCOTTISH MINISTERS (under DMR2013 Regs)			
Section 30	Relating to EIA		NO
Section 31	Requiring planning authority to provide information and restrict grant of planning permission		NO
Section 32	Requiring planning authority to consider the imposition of planning conditions		NO
Summary of Direction(s)			

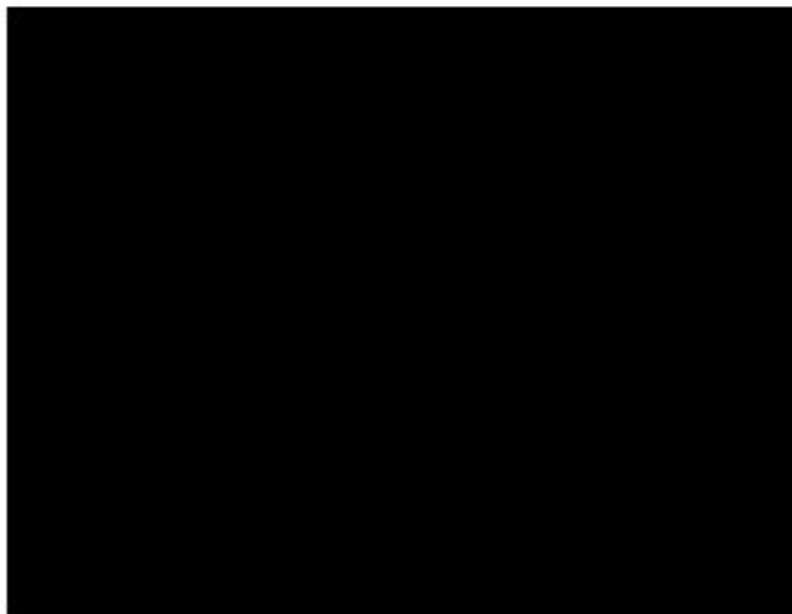


MORAY COUNCIL
TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997,
as amended

REFUSAL OF PLANNING PERMISSION

[Forres]
Planning Permission in Principle

TO

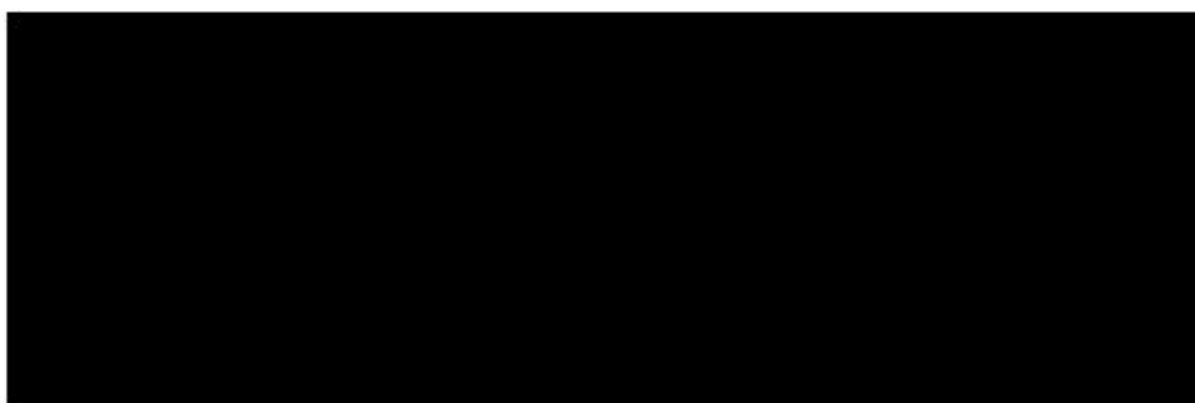


With reference to your application for planning permission in principle under the above mentioned Act, the Council in exercise of their powers under the said Act, have decided to **REFUSE** your application for the following development:-

Erect dwelling house on small holding Heatheryfold Caravan Damhead Forres Moray

and for the reason(s) set out in the attached schedule.

Date of Notice: 16 October 2020



HEAD OF ECONOMIC GROWTH AND DEVELOPMENT
Economy, Environment and Finance
Moray Council
PO Box 6760
ELGIN
Moray IV30 1BX

**IMPORTANT
YOUR ATTENTION IS DRAWN TO THE REASONS and NOTES BELOW**

SCHEDULE OF REASON(S) FOR REFUSAL

By this Notice, the Moray Council has REFUSED this proposal. The Council's reason(s) for this decision are as follows: -

The proposal is contrary to the requirements of the Moray Local Development Plan 2020 policies PP3 (Infrastructure and Services) and DP1 (Development Principles) because the existing U107E/B9011 junction serving the site is considered to be inadequate to serve the proposed development, by reason of its restricted visibility and width. If permitted, the proposal would result in an intensification of use of the constrained junction and would likely give rise to conditions detrimental to the safety of road users.

LIST OF PLANS AND DRAWINGS SHOWING THE DEVELOPMENT

The following plans and drawings form part of the decision:-

Reference	Version	Title
		Site location plan

**DETAILS OF ANY VARIATION MADE TO ORIGINAL PROPOSAL,
AS AGREED WITH APPLICANT (S.32A of 1997 ACT)**

N/A

**NOTICE OF APPEAL
TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997**

If the applicant is aggrieved by the decision to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. The notice of review should be addressed to The Clerk, Moray Council Local Review Body, Legal and Committee Services, Council Offices, High Street, Elgin IV30 1BX. This form is also available and can be submitted online or downloaded from www.eplanning.scot/eplanningClient

If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

